



11130 U.S. PTO



08/03/01

08-06-01

PENNIE & EDMONDS LLP DOCKET NO. 8484-101-999

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Express Mail No.: EL 452 480 895 US

THE UNITED STATES PATENT AND TRADEMARK OFFICE

From application: Examiner Winkler, U.

Art Unit 1648

Assistant Commissioner for Patents
Box PATENT APPLICATION
Washington, D.C. 20231



Sir:

This is a request for filing a continuation divisional application under 37 CFR § 1.53(b), of pending prior application no. 09/676,223 filed on September 29, 2000.

of Jürgen Kleinschmidt, Dirk Grimm, Karola Rittner
(inventor(s) currently of record in prior application)

for AAV-DNA COMPRISING HELPER VIRUS SEQUENCES
(title of invention)

RECORDED 0222660

- 1. The filing fee is calculated below:

PATENT APPLICATION FEE VALUE


| TYPE | NO. FILED | LESS | EXTRA | EXTRA RATE | FEE |
|---|-----------|------|-------|--------------|-----------|
| Total Claims | 20 | -20 | 0 | \$18.00 each | \$ 0.00 |
| Independent | 3 | -3 | 0 | \$80.00 each | \$ 0.00 |
| Basic Fee | | | | | \$ 710.00 |
| Multiple Dependency Fee If Applicable (\$270.00) | | | | | \$ 270.00 |
| Total | | | | | \$ 980.00 |
| 50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern | | | | | \$ 0.00 |
| Total Filing Fee | | | | | \$ 980.00 |

- 2. Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.
- 3. Amend the specification by inserting before the first line the following sentence: This is a continuation of application no. 09/676,223, filed September 29, 2000.
- 4a. New formal drawings are enclosed.

- 4b. Informal drawings are enclosed.
- 5a. Priority of application no. 196 44 500.0 filed on October 25, 1996 in Germany is claimed under 35 U.S.C. §119.
- 5b. The certified copy has been filed in prior application no. 09/297,225, filed April 23, 1999.
- 6. The prior application is assigned of record to Krebsforschungszentrum and Transgene S.A.
- 7a. A copy of the Power of Attorney filed in the prior application no. 09/676,223, filed September 29, 2000 is enclosed.
- 7b. A Power of Attorney is enclosed.
- 8. This application contains nucleic acid and/or amino acid sequences required to be disclosed in a Sequence Listing under 37 CFR §§1.821-1.825. It is requested that the Sequence Listing in computer readable form from prior application no., filed on be made a part of the present application as provided for by 37 C.F.R. §1.821(e). The sequences disclosed therein are the same as the sequences disclosed in this application. A copy of the paper Sequence Listing from application no. is enclosed.
- 9. The undersigned states, under 37 C.F.R. §1.821(f), that the content of the enclosed paper Sequence Listing from application no. is the same as the content of the computer readable form submitted in application no. .
- 10. Additional enclosures or instructions.
 - Enclosed is a copy of the Substitute Specification as filed in Application No. 09/676,223, filed September 29, 2000; and the Declaration and Power of Attorney as filed in the prior application;
 - Information Disclosure Statement, PTO Form 1449 without references; and
 - An extension of time for a period of 3 months has been filed in application serial number 09/676,223 filed September 29, 2000 for which this Continuation application claims priority.

FOR "022660"

Date August 3, 2001

Respectfully submitted,

 Nathan A. Machin 47,763
 (Reg. No.)

For Laura A. Coruzzi (Reg. No. 30,742)
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